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Dated: April 18, 2003

Name of Person Certifying:

Printed Name: Poggy Nichol

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

H. Michael SHEPARD

Assignee:

NewBiotics Inc.

Filing Date:

January 18, 2002

Examiner: Theodore J. Criares

Serial No.:

10/051,320

Group Art Unit: 1617

Commissioner for Patents Washington, D.C. 20231

# RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

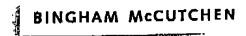
Title: METHODS TO TREAT AUTOIMMUNE AND INFLAMMATORY CONDITIONS

Dear Sir:

On March 21, 2003, a Requirement for Restriction under 35 U.S.C. § 121 was issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response is due by April 21, 2003. Accordingly this response is timely filed.

### REMARKS

Claims 1 to 22 are pending in the subject application. Applicant elects with traverse to prosecute the invention of Group I, claims 1-19 as they read on rheumatoid arthritis. Claims I-13 and 16-19 read on the elected species.



# **Facsimile**

DATE April 18, 2003

	NAME	FAX	PHONE
то	Examiner Theodore J. Criares	(703) 746-6897	
	Group Art Unit 1617		

FROM Antoinette F. Konski

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Antoinette.konski@bingham.com

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Fax contains the following:

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		Group Art Unit	1817			
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